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STATINTL

Trial Starts in Mayflower

Bugging

CPYRGHT

The Mayflower Hotel bugging case went to trial yesterday in the U.S. District Court. Three private detectives are charged with illegal monitoring of a lawyer's suite in the hotel.

The trio was indicted for three misdemeanor violations of the Federal Communications Commission's rules and regulations—broadcasting and operating the small FM transmitter without a license and broadcasting on a frequency reserved for airliners.

The defendants, being tried before U.S. District Court Judge Edward A. Tamm, are John J. Frank, Oliver W. Angelone and John W. Leon.

Assistant United States Attorney Harold J. Sullivan, who has handled grand jury investigation into commercial espionage which has gone on for two years, told the jury that the Government would prove the defendants illegally operated the bug between March 25 and April 1, 1962.

He said the evidence would show they rented a room near the hotel suite of San Francisco lawyer Malcolm P. Dungan. Dungan was representing the El Paso Natural Gas Co. in hearings before the Federal Power Commission for a multi-million-dollar gas line franchise to southern California.

Other companies were competing for the franchise. Important business meetings were held in the lawyer's rooms, Sullivan said.

A small, FM transmitter was found in the room on April 1, 1962, taped under a coffee table and receiving equipment was found in a nearby room.

Defense attorney Edward Carey made no opening statement.

The first witness was a Washington policeman, John C. Bennett, of Hyattsville, Md., who identified the bugging device found in the Mayflower "as appearing to be" the same one owned by his former roommate, Wayne G. Barber, a private detective.

Bennett said he was present in March, 1962, when Barber turned the device over to former police detective John A. Jones.

Jones told the jury he turned the device over to former police inspector Joseph W. Shimon.

Shimon did not testify yesterday, but he already has told authorities that he passed the device to Angelone.

Shimon is under indictment in connection with the case and Jones has pleaded no contest to an indictment charging him with operating the device in violation of FCC rules.